

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Date	Order with signature of the Judge
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Present:
Mr. Justice Muhammad Iqbal Kalhoro.
Mr. Justice Muhammad Osman Ali Hadi.

C.P.No.D-3105 of 2012

Mst. Mubarak Fatima Petitioner

Vs.

The Project Director, Lines Area Redevelopment

Project & others Respondents.

06.05.2025.

Mr. Muhammad Arshad, Advocates for petitioner
Mr. Muhammad Hisham Mahar, AAG
None present for respondentNo.1.

O R D E R
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MUHAMMAD IQBAL KALHORO J: Petitioner has challenged an order dated 22.05.2012 passed by the Governor Sindh on a representation filed by respondent No.1 against a decision of Ombudsman dated 07.06.1994 on a complaint filed by the petitioner. In the decision, Ombudsman had ordered providing an alternate plot to the petitioner in lieu of the plot she was in occupation of.

2. The case of petitioner is that as per section 32 of Establishment of Office of Ombudsman for province of Sindh Act, 1991, an appeal against an order of Ombudsman has to be filed before the Governor within 30 days, whereas in the present case the decision by the Ombudsman was given in 1994; the representation/appeal against which was filed after 12 years in 2006; the appeal was time barred but the Governor Sindh proceeded to hear the matter and decided it against the petitioner without addressing or deciding question of limitation raised by the petitioner. Learned counsel for petitioner has submitted that order of the Governor Sindh is sketchy as no reasoning has been given by him to arrive at impugned conclusion. He further submits that even the pleadings and submissions made by the petitioner have not been recorded by the Governor in the order, which is in violation of the relevant provision of General Clauses Act which enjoins the Authority to give reasons in favour of findings.

3. Learned AAG although supports the impugned order but has admitted that the pleas raised by the petitioner have not been addressed by the Governor in a proper and judicial manner.

4. Therefore, in view of what is stated above, we set-aside the impugned order and remand the matter to the Governor Sindh to re-hear the parties and pass a detailed order addressing the issue of limitation besides merits of the case within a period of three months.

The petition stands disposed of in the above terms alongwith pending applications.

JUDGE

JUDGE

A.K